



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
700 Heinz Avenue
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

RESPONSE TO COMMENTS

Corrective Action Final Remedy Selection

**Former Witco Corporation Site
850 Morton Avenue/3655 Collins Avenue
Richmond, California 94806
Contra Costa County
EPA ID No. CAD 009 137 779**

March 15, 2007

On August 11, 2006, DTSC published a public notice at West County Times to announce the start of the 45-day public comment period for the proposed groundwater remedies and Land Use Covenant Implementation and Enforcement Plan for the former Witco Corporation site. A public meeting/public hearing was held at the Parchester Community Center, Richmond, on September 12, 2006. A court reporter recorded the proceedings of the public hearing and a transcript was provided to DTSC. The public comment period ended on September 26, 2006. DTSC received comments from six attendees during the public hearing and one comment letter during the public comment period:

Commentor # 1 - Mr. Bobby Brown
Commentor # 2 - Mr. Whitney Dotson
Commentor # 3 - Mr. Dwight Merrill
Commentor # 4 - Mr. Bryan Grunwald
Commentor # 5 - Mr. Stan Davis
Commentor # 6 - Ms. Ethel Dotson
Commentor # 7 - Mr. Dwight Merrill (letter)

DTSC has responded to all comments and prepared this Response to Comments document. Persons who made the comments were identified and their names listed before their comments (shown below in *italics*). DTSC's responses to the comments follow each comment.

Commentor # 1 – Mr. Bobby Brown

“First, I want to thank all of you guys for coming out and having this meeting with us, but my comments have to do with some of the questions that were asked, you know, earlier, you know, but the comments had to do with the questions, you know.”

Comment #1

“Like I say, I would like, you know, I don't know if this would be a question or just, you know, a comment, that if it would be possible, you know, that you guys or whatever agency would be able to come out to this community so we can talk about all about the different companies and sites that's out here. You know, we can talk about this like the refinery and all the other different businesses that have been here in the past because they are all intertwined together. We cannot talk about one without bringing all of them together.”

We need to know exactly what really is going on with this, you know, because it is a health risk and a hazard. We as a community need to know exactly, you know, what is the health risk because that's what we are concerned about in this community. We also would like to, you know, to know about the different health risks since your agencies already know them, but the community do not. If it would be, you know, if you would come together and step up to the plate and be a voice for the community since the majority of the community don't really know what's going on, they only know the effects that's causing to their health.”

Response #1

Comment noted. DTSC would like information regarding other properties where you believe soil and groundwater contamination exist. This information should be shared with Nancy Cook, DTSC's Public Participation Specialist for the area near Parchester Village. DTSC is not the lead on every property, but DTSC will try to provide you with contacts to follow up on these issues.

Commentor #2 – Mr. Whitney Dotson

“I would just like to reiterate some of the concerns expressed earlier.”

Comment #2-1

“I think there needs to definitely be comprehensive testing of soil and water, ground water, in Parchester Village and also just throughout the area. I just found out about two minutes ago that Parchester Village was used as a cooling pond for Chevron, the Chevron Refinery I guess a pump or something was

somewhere in the area pumping water, so, I think that there's some very serious possibilities as to what that might have been."

Response # 2-1

DTSC does not have any information regarding the use of the Parchester Village area for industrial purposes.

In response to requests made at the Reaction Products public meeting held by DTSC on August 2, 2006, DTSC staff took surface soil samples from three backyards in Parchester Village on September 12, 2006. These results will be shared with the homeowners before they are made available to the public as a whole. Please contact Ms. Karen Toth of DTSC Site Mitigation Brownfields Reuse Program at (510) 540-3834 for further information regarding this issue.

Comment #2-2

"I think also that I would like to see some comment on the history of some of the contamination in the area prior to Witco going back into the -- as far back as you have records. If John Powder Company is in the area, Chevron had tank farm hill just right here, and, you know, I guess as a part of the tank farm hill operation, the pond Parchester was used as a cooling pond for the whole area. So, we need as in-depth of a response from DTSC in terms of what has happened in the past so that there won't be any surprises in the future."

Response # 2-2

The contamination at the former Witco site has been investigated comprehensively. A thorough search of past records was conducted under Resource Conservation and Recovery Act (RCRA) Facility Assessment (RFA) in 1989. The RFA documented that the former Witco Corporation facility was originally built in 1957 by U.S. Peroxygen Corporation. The RFA also documented all the manufacturing processes at the site and described how hazardous wastes were generated and managed. A summary of facility operational history can be found in the Fact Sheet while a detailed operational history is described in the Statement of Basis. DTSC has no documentation regarding a Chevron Tank Farm in this area.

Commentor # 3 – Mr. Dwight Merrill

Comment #3-1

"I own Reaction Products, 840 Morton Avenue, adjacent to the Witco Site. Obviously, we are very concerned about contamination on Reaction Products from Witco, and we don't think that this plan completely addresses the issues."

There is a very important issue that Witco in their investigations, grazed the pipeline around our warehouse, that well is identified as Well W-22, and for the first two years, that well showed no hydro carbons whatsoever. After two years, suddenly five feet of a mixture of gasoline and diesel were floating on the water, and the pipeline at that point, Southern Pacific Pipeline, now Kinder Morgan, dug up the pipeline and repaired it. The pipe was right against the well casing, and there were score marks from the well drilling ogger on the pipeline. So, it is very clear that the spill came from the Witco investigation.”

Response # 3-1

Conditions related to the release from the pipeline have been addressed by the former Witco facility. Following the release of petroleum hydrocarbon from the accidental puncturing of the pipeline on Reaction Products property, the pipe was repaired and contaminated soil was excavated around the pipe and well and free-floating product from well W-22 was bailed. A report dated December 1992 describing the release and the remedial actions taken by Witco was submitted to the Regional Water Quality Control Board and the DTSC.

The benzene contamination in groundwater at Well W-22 has shown a steady decline since the October 1994 high of 1400 parts per billion (ppb) to the most recent December 2005 value of no detection. The monitoring data indicates that the benzene contamination is undergoing natural attenuation (bio-degradation) and is approaching 1.0 ppb, the maximum contaminant level (MCL), a state standard for drinking water.

Comment 3-2

“Ever since, there's been significant levels of benzene far above the one part per billion you are talking about cleaning up to. That has migrated under the railroad tracks onto Mr. Davis' property, so the benzene xylene, toluene from Witco; it is a serious issue that I think needs to be addressed.”

Response # 3-2

The status of benzene contamination on Former Breuner property, currently owned by Mr. Davis, is represented by results from well W-38A. Benzene concentrations at well W-38A have decreased from a maximum value of 19 parts per billion (ppb) observed in October 1994 and July 1995 to most current value of 0.58 ppb observed in December 2005. The benzene concentrations on the Former Breuner Property are below the 1 ppb MCL and appear to indicate that the natural attenuation has achieved the cleanup standard in this area. The proposed remedial approach for benzene on the Witco property is monitored natural attenuation.

Comment 3-3

“The second point here is tetramethyltetrahydrofuran under the Reaction Products site. I notice in your Statement of Basis, some of your recent analyses show levels in excess of 1,000 parts per billion, is showing in Well 17, in 16A, and 28, all on our property.”

Response # 3-3

There is no maximum contaminant limit (MCL) for tetramethyltetrahydrofuran (TMTHF) in drinking water. However, DTSC calculated the TMTHF cleanup level for drinking water as 2,300 parts per billion (ppb) based on the health risk assessment. TMTHF has not been reported above this cleanup goal in groundwater samples from the Reaction Products property for over 15 years. Results in the table below show that TMTHF in the groundwater at the Reaction Products property is below the cleanup goal of 2,300 ppb.

| TMTHF levels in parts per billion (ppb) | | | |
|--|-------------|-------------|-------------|
| Well # | 2004 | 2005 | 2006 |
| W-16A | 93 | - | - |
| W-17 | 740 | 1000 | 1100/960 |
| W-28 | 55 | - | 47 |

The TMTHF concentrations on Reaction Products property are expected to decline as a result of remediation of source areas on Witco property.

Comment #3-4

“One way this is being addressed with Witco property is a land use covenant. My concern is Reaction Products will have to sign a similar land use covenant if the tetramethyltetrahydrofuran remains on Reaction Products soil.”

Response # 3-4

The proposed remedies for the former Witco site include dual phase extraction to remove contaminant source, periodical groundwater sampling and monitoring, and entering into a land use covenant. TMTHF concentrations in groundwater samples below Reaction Products property have not exceeded the clean up goals for over 15 years and are expected to decline as a result of remediation of source areas on Witco property. The Reaction Products property does not contain TMTHF concentrations in groundwater that would restrict potable use or require a land use covenant.

Comment #3-5

"I see no discussion of how the Witco wells located on Reaction Products property are going to be eventually abandoned and what covenants would be required for those wells. Those are Witco wells on our property. We'd like that question answered, how are they going to handle it or 22 eventually abandoned."

Response #3-5

As stated in the CMS Report, groundwater monitoring wells (both on-site and off-site) used by the former Witco/Chemtura facility will be properly decommissioned upon completion of the corrective measures activity or when the wells are no longer needed. This includes Witco wells located at the Reaction Products property. The decommission will be performed by Witco/Chemtura in accordance with the California and Contra Costa County guidelines under regulatory supervision of DTSC. The monitoring wells will be decommissioned by over-drilling them with hollow stem auger, taking the plastic piping out and filling the boring with grout.

Comment #3-6

"Finally, Reaction Products appears to have lost considerable value because of the Witco contamination, and this is not addressed in the process at all, and, so that is the fourth concern we're expressing."

Response #3-6

DTSC's objective at the former Witco site is to require cleanup of contaminations in soil and groundwater, monitor and restrict exposures to contaminations and protect human health and the environment. Past interim remedial actions at Witco and implementation of the proposed remedies including dual-phase extraction are expected to reduce the source of TMTHF contamination and groundwater plume associated with the source. The Witco remedial activity is expected to eliminate the potential for TMTHF to migrate into groundwater and further reduce TMTHF levels in groundwater beneath both Reaction Products and former Witco property. The Reaction Products property does not contain TMTHF concentrations in groundwater that would restrict potable use or require a land use covenant. The issue of property value should be taken up between Reaction Products and Chemtura.

Commentor # 4 – Mr. Bryan Grunwald

Comment #4-1

"I'm a principle with Bryan Grunwald Associates, and I'm the planner and the architect for the former Breuner Property, and we want assurances from DTSC

that there is no ground water contamination on our property, the former Breuner property from either Witco, Reaction Products, or the Kinder Morgan pipeline break that would either have human health hazards that would preclude residential development or ecological risks that would preclude a wetland mitigation bank. “

Response #4-1

The groundwater contamination from the Kinder Morgan pipeline leak associated with Well W-22 is monitored by well W-38A. Well W-38A is located on the former Breuner property, down gradient from the location of the pipeline leak. Benzene concentrations at well W-38A have decreased from a maximum value of 19 parts per billion (ppb) observed in October 1994 and July 1995 to the most current value of 0.58 ppb observed in December 2005. Benzene, toluene, ethylbenzene and xylenes have not been detected in over 3 years above California MCLs for a potential drinking water source in the samples collected from well W-38A. Samples will continue to be collected for at least five years from wells located on the former Breuner property to confirm groundwater conditions in the area.

The calculated cleanup goal of 2,300 ppb for TMTHF is for potable residential level. TMTHF has never been reported above this cleanup goal in groundwater samples at the former Breuner property.

Comment #4-2

“Secondly, we would also like to know what procedure used to remove the wells that have been abandoned on our property, either from Reaction Products or Witco.”

Response #4-2

See Response 3-5.

Commenter # 5 – Mr. Stan Davis

Comment #5-1

“A couple of things. Number one, thank you for assuring me that from the future we will get notices of these meetings. Sorry we haven't, but we will be participating.”

Response #5-1

Comment noted. Mr. Davis' name has been added to the DTSC's mailing list for the Witco Site.

Comment #5-2

"The second thing is that on the former Breuner Property, which we own, there are a number of test wells, and we have not received much of the information results, although we gave them permission and signed a statement to allow them to come on a number of years ago, five or six years ago I believe, something like that. But we've not receive -- I think we received maybe three different test wells ratings during the course of the last. We bought it I think in 1999. So, we would like to be brought up to date and something current as to what the occurrences are, so our technical people might advise us."

"I look forward to working with you in the future to resolve the issues, but we would like to get it cleaned up as Bryan said to residential standards. In addition, we wanted as I mentioned to create some 60 acres of wetland."

Response #5-2

The groundwater monitoring results from wells installed by Witco on the former Breuner Property are available for review at DTSC's Berkeley Office. To keep you informed of the current conditions on the former Breuner property, future monitoring reports may be made available to you through Chemtura Corporation. DTSC is currently working on to have all reports from corrective action facilities available in Envirostor in the nearest future.

Commenter # 6 – Ms. Ethel Dotson

Comment #6-1

"There needs to be a health assessment that lives in this village and people that has moved out the people still have contact with."

Response #6-1

This project is only limited to the Witco cleanup of residual contamination at the site. A health risk assessment has been done on the Witco site. Groundwater and soil were evaluated to determine if chemicals present in the soil and groundwater below former Ponds 1 and 2 pose a risk to public health and the environment. Exposure to chemicals from eating the soil, inhaling dust particles, contact on the skin, and inhaling vapors from indoor air were analyzed. The risk assessment results showed that health risks exist only if there is direct contact to soil 7 feet below ground surface or there is direct contact to groundwater 10 feet below ground surface. Health risks from the former Witco site have been presented as stated above and are not believed to pose any health risk to residents of Parchester Village.

Comment #6-2

"Oh, about there should be a community advisor group for this area or the community advisory group that we have set up for the south shore that it should be expanded to this area to have more public participation and the say so how things should be cleaned up."

Response #6-2

A request for a community advisory group (CAG) for this area similar to the one set up for the south shore was given to DTSC's Public Participation Program in 2005. DTSC has reviewed the petition and determined that the cleanup was not a long term action and there is no need for a CAG.

Comment #6-3

"There is a very very high cancer rate out here, and then there is the cumulative effect of all of the sites and they are inter-related, so you need to -- it has to be in Environmental Impact Report for this whole area, and the history, the past history. In order to know where you're going, you have to know where you're coming from. So, that's a must. We lived here --"

Response #6-3

Comment is noted. DTSC has prepared a Notice of Exemption for the project under the provisions of CEQA Guideline section 15330. It is DTSC's finding that the proposed groundwater remedies at the Witco site will not have any negative impact on the environment. Instead, it will help clean up the Witco site and will result in long-term reduction in concentrations of residual contaminants in groundwater. An Environmental Impact Report for this project is not needed.

Comment #6-4

"Mr. Merrill was giving us some history that we just learned about tonight, which I sort of like had some -- I just sense it that stuff had been did on the soil here with the Atlas Foundry, giant Atlas up on the hill, which is a park, that they probably buried stuff here. Not only was it probably Chevron, but also Giant Powder. So, it's all of this history and research and testing that really needs to be did as Whitney said. If you have to go into the water level. As my father told us, you go three feet down or less than three feet, you are hitting water. It used to flood bad, real bad in Parchester Village, really really really bad. There was this -- what was at the park, that thing come up from the hill by Ms. -- it was a creek. Like the gentleman said about his family had a lot of cancer."

“The creek ran right by -- on the side of their house. Right, exactly. So, it was really flooded badly here, and this -- you have to go a little bit more in-depth. “

Response #6-4

Comment is noted. This project is only limited to the cleanup of residual contamination at the former Witco site. The history of the Witco site was described in the Statement of Basis and summarized in the Fact Sheet. Groundwater and soil testing were done at the Witco site and health risk from the Witco site was also evaluated as explained in Response # 6-1.

A full scale human health risk assessment based on historical and current environmental exposures in the area surrounding the Parchester Village is beyond the legal and statutory requirements for DTSC. There are other agencies within the State of California which are more appropriate to prepare a cumulative health/cancer study in your neighborhood. The California Department of Health Services (DHS), Environmental Health Investigations Branch, 850 Marina Bay Parkway, Richmond, California can be contacted for further assistance (510) 620-3677. The DHS has a program, the California Environmental Health Tracking Program (www.catracking.com) which may be able to address your concerns.

Commenter # 7 – Letter received from Mr. Dwight Merrill

“This letter has been revised as a consequence of the public hearing held on Sept. 12th, but is very similar to the letter submitted at that hearing.”

“I am the owner of Reaction Products Co., Inc., adjacent to the Witco site on the north side. Reaction Products has several concerns about the remediation of the Witco site.”

Comment #7-1

“1. BENZENE FROM WITCO. During the early stages of the Witco site investigation, monitoring wells were drilled by Witco on Reaction Products property. One well, identified as W-22, grazed the petroleum pipeline near the railroad. For the first two years this well was sampled, no benzene or other hydrocarbons were detected. After two years, however, the pipeline began to weep, and five feet of a gasoline/diesel mixture was found floating in the well. The area was dug up and the pipeline repaired, but substantial amounts of benzene and other hydrocarbons from the spill are still found in the water sampled from this well. The levels of benzene are much higher than the 1 ppb level that the current remediation project seeks to reach on the Witco property. If Witco is to reduce benzene to 1 ppb on its property, it should also reduce its benzene on Reaction Products to 1 ppb.”

Response #7-1

See Responses # 3-1, and #3-2

Comment #7-2

"2. TMTHF (2,2,5,5- Tetramethyltetrahydrofuran) UNDER REACTION PRODUCTS CO. SITE. Substantial amounts of TMTHF are in the ground water under the Reaction Products site. Witco apparently is addressing this material on their site by saying that the property must only be used for industrial use. This seems to leave Reaction Products hanging. What should Reaction Products do about the Witco TMTHF on its site? We believe that Witco should address this contamination. Wells W -17, W -16A and W -28, drilled by Witco on Reaction Products property show rising levels of TMTHF well over 1,000 ppb levels."

Response #7-2

See Response #3-3

Comment #7-3

"3. WITCO MONITORING WELLS ON REACTION PRODUCTS SITE. Witco has a number of monitoring wells on the Reaction Products property. How does Witco plan to properly abandon these wells after they complete their remediation?"

Response #7-3

See Response #3-5

Comment #7-4

"4. LOSS OF OPTIONS FOR REACTION PRODUCTS PROPERTY AND FATE OF REACTION PRODUCTS PROPERTY. Witco should address their contamination under the Reaction Products site. If Witco proposes a Land Use Covenant as part of remediation, this implies that Reaction Products, with the Witco contamination, will eventually have to downgrade its property use because of the Witco chemicals in the groundwater under its property. At the very least, Reaction Products should be compensated for this loss."

Response #7-4

See Response # 3-6

Comment #7-5

“We must reiterate that this contamination is clearly Witco's. The TMTHF is an unusual compound, the product of a decomposition of a peroxide manufactured by Witco; it is not an article of commerce. The benzene was not present on Reaction Products property until Witco grazed the pipeline and it started leaking. When the pipeline was dug up, the well casing was against the pipeline, and deep gashes on the pipeline from the well drilling auger were obvious. Reaction Products has never handled benzene, and Witco is the certain cause of the benzene contained in the gasoline spilled from the pipeline onto the Reaction Products property as a consequence of Witco 's drilling.”

Response #7-5

Witco acknowledged that the source of TMTHF groundwater contamination at the Reaction Products was from Witco's past manufacturing operations and benzene in groundwater was from the accidental puncturing of the pipeline during Witco's drilling of sampling well. Witco has completed the investigation and determined the extent of contamination, conducted interim measures such as pumping and treatment of contaminated groundwater and soil removal. Witco will proceed, after obtaining DTSC's approval of final remedies, to further reduce the source of TMTHF contamination and groundwater plume associated with the source. The Reaction Products property does not contain TMTHF or Benzene in groundwater that would restrict potable use or require a land use covenant.